



Austin City Council  
MINUTES

REGULAR MEETING  
THURSDAY, AUGUST 30, 2001

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed.

The City Council of Austin, Texas, convened in a regular meeting on Thursday, August 30, 2001 in the Board Room at Lower Colorado River Authority Hancock Building, 3700 Lake Austin Boulevard.

INVOCATION – Rev. Mark Seeger, Jesus Lutheran Church of the Deaf.

Mayor Watson called the meeting to order at 10:02 a.m.

CONSENT AGENDA

The following items were acted on by one motion. No separate discussion or action occurred on any of the items. The consent items were approved on Council Member Wynn's motion, Council Member Thomas' second by a 6-0 vote. Mayor Pro Tem Goodman was off the dais.

1. Approval of minutes for regular meeting of August 23, 2001  
The minutes for the regular meeting of August 23, 2001 were approved.

Items 2 through 8 were budget briefings.

Items 9 through 15 were Executive Session items.

Items 16 through 18 were pulled for discussion.

19. C14-01-0001 - The Vintage on Town Lake- Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1400 East Riverside Drive (Town Lake Watershed) from SF-3, Family Residence district zoning to MF-4, Multifamily Residence Moderate High Density district zoning. First reading June 14, 2001; Vote: 7-0. Conditions met as follows: No conditions were imposed by City Council at first ordinance reading. Applicant: Street Development Ltd. (Robert N. Garrett III). Agent: Jim Bennett. City Staff: Don Perryman, Watershed Protection and Development Review Department, 974-2786. (continued from August 2, 2001)  
This item was postponed to September 27, 2001.

20. C14-01-0002 - The Vintage on Town Lake - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1400 Edgecliff Street (Town Lake Watershed) from SF-3, Family Residence district zoning to MF-4, Multifamily Residence Moderate High Density district zoning. First reading June 14, 2001; Vote: 7-0. Conditions met as follows: No conditions were imposed by City Council at first ordinance reading. Applicant: Street Development Ltd. (Robert N. Garrett III). Agent: Jim Bennett. City Staff: Don Perryman, Watershed Protection and Development Review Department, 974-2786. (continued from August 2, 2001)  
**This item was postponed to September 27, 2001.**
21. Approve a resolution to adopt new criteria for the qualifications-based selection of architects, engineers, surveyors, and landscape architects for City of Austin projects through the Request for Qualifications (RFQ) process. (continued from August 2, 2001)  
**This item was postponed to September 27, 2001.**

**Items 22 and 23 were pulled for discussion.**

24. Approve an ordinance accepting a grant from Austin Convention and Visitor's Center in the amount of \$37,000 and Amend Ordinance No. 000912-2, the 2000-2001 Capital Budget of the Redevelopment Services Office, increasing the appropriation for the Second Street Downtown Retail Project by \$37,000. (Grant funding made available by the Austin Convention and Visitor's Bureau under its Heritage Marketing Grants Program, for the exterior renovation of the historic Schneider Store Building.)  
**Ordinance No. 010830-24 was approved.**
25. Set public hearing pursuant to Section 154.151 of the Texas Utilities Code to consider an audit report, to consider establishing a regulatory accounting methodology to be used by in connection with the annual reconciliation report to be filed with the City by Southern Union Gas Company and to consider amending Southern Union Gas Company's Cost of Gas Clause, Rate Schedule No. 1 for application within the city of Austin. (Suggested Date and Time: September 27, 2001 at 6:00 p.m.)  
**Resolution No. 010830-25 was approved.**
26. Approve an ordinance authorizing acceptance of \$250,000 in grant funds from the Criminal Justice Division, Office of the Governor/Prevention Projects for Youth, Title V Delinquency Prevention Fund; and amend Ordinance No. 000912-01, the Health and Human Services Fiscal Year 2000-2001 approved operating budget Special Revenue Fund by appropriating \$250,000 in grant funds and authorize one additional grant-funded full-time equivalent Project Coordinator position; and one part-time Secretary for a total of one and one-half grant-funded positions. This grant is effective beginning September 1, 2001 and ending August 31, 2002 at \$250,000 and is renewable for two consecutive years for a total amount of \$750,000. (Funding in the amount of \$250,000 is available from the State of Texas, Governor's Office, Criminal Justice Division. An in-kind match of \$128,787 is required and will be met by volunteer contributions, city staff and facilities.)  
**Ordinance No. 010830-26 was approved.**
27. Approve a resolution authorizing an Interlocal Agreement with AUSTIN COMMUNITY COLLEGE – Child Development Department, Austin, Texas, to provide child care teacher training services in an amount not to exceed \$100,000 for the contract period October 1, 2001 through September 30, 2002, with two 12-month extension options in an amount not to exceed \$100,000 per extension for a total contract amount not to exceed \$300,000. (Funding in the

amount of \$100,000 was included in the 2001-2002 Approved Operating Budget of the Health and Human Services Department. Extension options are contingent upon available funding in future budgets.)

**Resolution No. 010830-27 was approved.**

28. Approve a resolution authorizing an Interlocal Agreement with AUSTIN COMMUNITY COLLEGE – Child Development Department, Austin, Texas, to provide child care quality improvement services in an amount not to exceed \$75,000 for the contract period October 1, 2001 through September 30, 2002, with two 12-month extension options in an amount not to exceed \$75,000 per extension for a total contract amount not to exceed \$225,000. (Funding in the amount of \$75,000 is available in the 27<sup>th</sup> Year Community Development Block Grant (CDBG) fund. Extension options are contingent upon available funding in future budgets.)

**Resolution No. 010830-28 was approved.**

29. Approve a resolution authorizing an Interlocal Agreement with AUSTIN INDEPENDENT SCHOOL DISTRICT, Austin, Texas, to provide child care services for teenage parents in an amount not to exceed \$39,440 for the contract period of October 1, 2001 through September 30, 2002, with two 12-month extension options in an amount not to exceed \$39,440 per extension for a total contract amount not to exceed \$118,320. (Funding in the amount of \$39,440 is available in the 27<sup>th</sup> Year Community Development Block Grant (CDBG) fund. Extension options are contingent upon available funding in future budgets.)

**Resolution No. 010830-29 was approved.**

30. Approve a resolution authorizing negotiation and execution of two contracts: on) contract with CHILD, INCORPORATED, Austin, Texas, to provide child care services for teenage parents in an amount not to exceed \$48,000 for the period October 1, 2001 through September 30, 2002, with two 12-month extension options in an amount not to exceed \$48,000 per extension for a total contract amount not to exceed \$144,000; and one contract with GENERATIONS CHILD DEVELOPMENT CENTERS, INC. dba Little Lambs Child Care Centers, Austin, Texas, to provide child care services for teenage parents in an amount not to exceed \$86,560 for the period October 1, 2001 through September 30, 2002, with two 12-month extension options in an amount not to exceed \$86,560 per extension for a total contract amount not to exceed \$259,680. (Funding in the amount of \$134,560 is available in the 27<sup>th</sup> Year Community Development Block Grant (CDBG) fund. Extension options are contingent upon available funding in future budgets.)

**Resolution No. 010830-30 was approved.**

31. Approve a resolution authorizing an amendment to the consulting services contract with MICHAEL SULLIVAN & ASSOCIATES, INC., for services on behalf of the City of Austin as a consulting and/or expert witness in the matter of Application of LCRA to Amend its Drought Management Plan, in an amount not to exceed \$42,000 with a total contract amount not to exceed \$84,000. (Funding in the amount of \$42,000 is included in the 2000-2001 Approved Operating Budget of the Water & Wastewater Department.)

**Resolution No. 010830-31 was approved.**

32. Approve a resolution appointing Herb Felsted to a two-year term as Austin's Lay Representative to the Central Texas Library System.

**Resolution No. 010830-32 was approved.**

**Items 33 through 36 were pulled for discussion.**

37. C14-00-2160 - Approve third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 810 and 812 Capitol Court (Waller Creek Watershed) from SF-3, Family Residence district zoning to MF-2-CO, Multifamily Residence Low Density-Conditional Overlay Combining district zoning with conditions. First reading on March 22, 2001; Vote 6-1, Griffith nay. Second reading on July 19, 2001; Vote: 6-0, Watson absent. Conditions met as follows: Conditional overlay incorporates the conditions approved by Council at second reading. Applicant: Daniel Day. Agent: Mchone Real Estate (Mike Mchone) City Staff: Glenn Rhoades, 974-2775.  
**Ordinance No. 010830-37 was approved.**

**Item 38 was pulled for discussion.**

39. C14-01-0059 (SH) - Approve second/third reading readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5901-6229 East Riverside Drive (Country Club Watershed) from SF-2, Single Family Residence Standard Lot district, SF-3, Family Residence district, and LI-PDA, Limited Industrial Services-Planned Development Area district zoning to GR-MU-CO, Community Commercial-Mixed Use Combining district zoning for Tract 1 and RR, Rural Residence district zoning for Tract 2. First reading on July 19, 2001; Vote 6-0, Watson absent. Conditions met as follows: Conditional overlay incorporates the conditions approved by Council at first reading. Applicant: RPC Investments, Inc. (Lucy R. Hibberd), Photonics Texas, Inc. (James A. Eder), and Nature Conservancy (Ray Culter). Agent: Lopez-Phelps/Vaughn (Amelia Lopez-Phelps). City Staff: Adam Smith, 974-2755  
**Ordinance No. 010830-39 was approved.**

**Item 40 was set for a time certain at 4:00 P.M.**

41. C14-01-0050 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 825 West 24th Street and 906, 908, 910, and 912 West 23rd Street (Shoal Creek Watershed) from LO, Limited Office district zoning and MF-3, Multifamily Residence Medium Density district zoning to CS-MU-CO, General Commercial Services-Mixed Use-Conditional Overlay Combining district zoning with conditions for Tract 1, and MF-6-CO, Multifamily Residence-Highest Density-Conditional Overlay Combining district zoning with conditions for Tract 2. First reading on July 19, 2001, Vote: 6-0, Watson absent. Conditions met as follows: Conditional overlay incorporates the conditions imposed by Council at first reading. Applicant: W.W. White Properties (Wynelle White). Agent: McHone Real Estate (Mike McHone). City Staff: Glenn Rhoades, 499-2775.  
**Ordinance No. 010830-41 was approved.**
42. Amend ordinance number 010614-29, to correct a typographical error in a condition of zoning for the property located at Northscape Drive, between Middle Fiskville Road and Dallum Drive, further described in zoning file number C14-00-2240. City Staff: Annick Beaudet, 974-2975.  
**Ordinance No. 010830-42 was approved.**
43. Approve a resolution authorizing execution of a contract with MAC, (MBE/MH) Inc., Austin, Texas, for construction of South Austin Senior Activity Center Parking Lot, in the amount of \$112,930. (Funding was included in the 1999- 2000 approved Capital Budget of the Parks and Recreation Department.) Lowest of five bids received. 1.3% MBE, 2.3% WBE subcontracting participation.  
**Resolution No. 010830-43 was approved.**

44. Approve a resolution authorizing execution of a contract with SHAFFER CONCRETE, Pflugerville, Texas, for construction of Garrison Park Group Picnic Shelter, in the amount not to exceed \$63,323. (Funding was included in the 2000-2001 approved Capital Budget of the Parks and Recreation Department.) Lowest of four bids received. 0% MBE, 0% WBE subcontracting participation.  
**Resolution No. 010830-44 was approved.**
45. Approve an ordinance authorizing the acceptance of an additional \$1000 in grant funding from the National Senior Citizens Education and Research Center, Inc. for the Senior Aides Program and amend Ordinance 000912-1 Operating Budget; of Special Revenue Fund by appropriating an additional \$1000 in grant funds to the Parks and Recreation Department. (Funding is available in the 1999-2000 Special Revenue Fund for the Parks and Recreation Department. The contract period is from July 1, 2000 – June 30, 2001 for a total grant award of \$316,000.)  
**Ordinance No. 010830-45 was approved.**
46. Approve an ordinance authorizing the acceptance of \$5000 in grant funding from BAT CONSERVATION INTERNATIONAL, INC., under their North American Bat Conservation Partnership and amend Ordinance 000912-1, the 2000-2001 Operating Budget; of the Special Revenue Fund by appropriating \$5000 in grant funds to the Parks and Recreation Department. (Funding is available in the 2000-2001 Special Revenue Fund for the Parks and Recreation Department. The grant period is from August 1, 2001 – July 31, 2002.)  
**Ordinance No. 010830-46 was approved.**
47. Approve a resolution authorizing execution of a contract with SHAFFER CONCRETE, Pflugerville, Texas, for construction of Scofield Park, in the amount of \$86,543. (Funding was included in the 2000-2001 approved Capital Budget of the Parks and Recreation.) Lowest of five bids received. 0% WBE 2.3% WBE subcontracting participation.  
**Resolution No. 010830-47 was approved.**
48. Approve a resolution authorizing execution of a contract with MUNIZ CONCRETE AND CONTRACTING, INC. (MBE/MH), Austin, Texas, for construction of Riata Park Improvement, in the amount of \$260,185. (Funding was included in the 1999-2000 approved Capital Budget of the Parks and Recreation Department.) Lowest of four bids received. 76.6% Prime. 5.2% WBE subcontracting participation.  
**Resolution No. 010830-48 was approved.**
49. Consider a resolution to negotiate and execute a Parkland Improvement Agreement to allow construction of parkland improvements in honor of J.J. “Jake” Pickle on Town Lake. (The improvements will be donated to the Town Lake Park.)  
**Resolution No. 010830-49 was approved.**
50. Adopt an ordinance adding a new Section 2-5-1 to the City Code relating to the jurisdiction of the Municipal Courts; and repealing and replacing Chapter 10-3 of the City Code relating to abandoned property and junked vehicles.  
**Ordinance No. 010830-50 was approved.**
51. Approve a resolution authorizing application for \$200,000 in grant funds from the U.S. Department of Justice, Community Oriented Policing Services Office “Racial Profiling Prevention Strategies” grant initiative, to purchase hand-held computer technology to increase officer safety and promote the collection of information relating to persons detained during subject or traffic stops to prevent bias-based profiling. (Grant funding is available from the U.S.

Department of Justice, Community Oriented Policing Services (COPS) Office "Racial Profiling Prevention Strategies" to fund equipment, wireless airtime, training, and required subcontracts for evaluation and a technical assistance guide. No cash match is required.)

**Resolution No. 010830-51 was approved.**

52. Approve a resolution authorizing execution of an Interlocal Agreement with the TEXAS DEPARTMENT OF TRANSPORTATION for the Build Greater Austin Bicycle Barrier Removal Project at Mopac and Stratford/Rollingwood Drive, in the amount of \$79,200. (Funding is available in the 2000-2001 Capital Budget of the Transportation Planning & Sustainability Department.)

**Resolution No. 010830-52 was approved.**

53. Approve a resolution authorizing execution of a construction contract with SPAWGLASS CONTRACTORS, INC., Selma, Texas, for the North Service Center located at 10414 McKalla Place in the amount of \$13,607,000. (Funding in the amount of \$10,428,380 was included in the 2000-2001 Capital Budget of the Water & Wastewater Utility and \$3,178,620 is included in the 2000-2001 Capital Budget of the Financial & Administrative Services Department.) Lowest of seven bids received. 8.72% MBE, .72% WBE subcontracting participation. (Recommended by Water and Wastewater Commission)

**This item was removed from the agenda.**

54. Approve a resolution authorizing execution of two 12-month supply agreements with AMERICAN MINORITY BUSINESS FORMS, Cedar Park, Texas, for the production of City-wide forms and for clinic medical record forms production and management in an amount not to exceed \$88,985.11 and \$61,933.10 respectively, with two 12-month extension options for each agreement in an amount not to exceed \$88,985.11 and \$61,933.10 respectively per extension for total contract amounts not to exceed \$266,955.33 and \$185,799.30 and a 12-month supply agreement with N BUSINESS, INC., Austin, Texas, for the production of a variety of forms for the Police Department in an amount not to exceed \$54,584.33 with two 12-month extension options in an amount not to exceed \$54,584.33 per extension for a total contract amount not to exceed \$163,752.99. [Funding in the amount of \$17,125.21 was included in the 2000-2001 Approved Operating Budgets of the Materials Management Division, FASD (\$7,415.43), Primary Care Department (\$5161.09), and the Police Department (\$4,548.69). Funding for the remaining 11 months of each original contract period and extension options will be contingent upon available funding in future budgets.] Low Bid/Seven bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

**Resolution No. 010830-54 was approved.**

55. Approve a resolution authorizing execution of 12-month supply agreements with NUNN ELECTRIC SUPPLY CORP., Austin, Texas, in an amount not to exceed \$382,019.31 and GENERAL ELECTRIC SUPPLY CO., Austin, Texas, in an amount not to exceed \$254,679.54 for the purchase of PVC conduit with two 12-month extension options in an amount not to exceed \$382,019.31 and \$254,679.54 respectively per extension, for total contract amounts not to exceed \$1,146,057.93 and \$764,038.62 respectively. (Funding in the amount of \$53,058.24 is available in the Amended 2000-2001 Operating Budget of the Electric Utility Department. Funding for the remaining months of the original contract period and the extension options is contingent upon available funding in future budgets.) Low bid and low bidder meeting specifications/Eight bids received. The contracts will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore, no MBE/WBE goals were established for this solicitation. The contracts are for the purchase of commodities, with direct delivery by the manufacturers.

**Resolution No. 010830-55 was approved.**

56. Approve a resolution authorizing negotiation and execution of a contract with KVB ENERTEC, Rancho Santa Margarita, CA, for the replacement of continuous emissions monitoring systems for the Holly Street & Decker Creek power plants including delivery, installation and one year of maintenance in an amount not to exceed \$278,951. (Funding is available in the Approved 2000-2001 Capital Budget of the Electric Utility Department.) Best Evaluated Proposer/ five proposals received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. There were no opportunities for subcontracting; therefore, no MBE/WBE goals were established. All work will be done with the contractor's own workforce.

**Resolution No. 010830-56 was approved.**

57. Approve a resolution authorizing execution of a contract with KVB-ENERTEC, Rancho Santa Margarita, CA, for the purchase of a continuous emission monitoring system for the Sand Hill Energy Center, in an amount not to exceed \$285,717. (Funding is available in the 2000-2001 Amended Capital Budget for the Electric Utility Department.) Best evaluated proposal/eight proposals received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. These goods and services will be provided by the original equipment manufacturer. No subcontracting opportunities were identified; therefore, no MBE/WBE goals were established for this solicitation.

**Resolution No. 010830-57 was approved.**

58. Approve a resolution authorizing execution of a 12-month supply agreement for the purchase of substation transmission items with UTILISERVE, Austin, Texas, in an amount not to exceed \$288,672.06 with two 12-month extension options in an amount not to exceed \$303,105.66 and \$318,260.94, respectively, for a total contract amount not to exceed \$910,038.66. (Funding in the amount of \$24,056 is available in the Amended 2000-2001 Operating Budget of the Electric Utility Department. Funding for the balance of the contract and extension options is contingent upon available funding in future budgets.) Low overall bidder/seven bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore, no MBE/WBE goals were established for this solicitation. This contract is for a commodity that will be delivered by the manufacturer.

**Resolution No. 010830-58 was approved.**

59. Approve a resolution authorizing execution of contracts with TECHLINE, INC., Austin, Texas, and POWER SUPPLY, INC., Austin, Texas, for the purchase of station post insulators, horizontal post insulators, anchor rods, and braces in amounts not to exceed \$83,871 and \$1,950 respectively. (Funding in the amount of \$85,821 is available in the Amended 2000-2001 Operating Budget of the Electric Utility Department.) Low bid/six bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore MBE/WBE goals were not established for this contract. This contract is for the purchase of commodities, with direct delivery by manufacturer's distributor.

**Resolution No. 010830-59 was approved.**

60. Approve a resolution authorizing execution of a purchase through the State of Texas Cooperative Purchasing Program, with the Furniture Marketing Group, Austin, Texas, to provide modular panels and modular furniture at the new Solid Waste Services Administration building located at 2100 East St. Elmo, Suite 200 in an amount not to exceed \$195,109.58. (Funding is available in the 2000-2001 Capital Budget of the Solid Waste Services Department.) The modular

furniture is being provided by a contract that was competitively bid and awarded by the State of Texas, General Services Commission.

**Resolution No. 010830-60 was approved.**

61. Approve a resolution authorizing Amendment No. 1 to the professional services agreement with THE GOODMAN CORPORATION, Houston, Texas, for Phase II of the corridor planning study, in an amount not to exceed \$194,000 for a total revised contract amount not to exceed \$345,000. (Funding in the amount of \$194,000 is available in the 2000-2001 Amended Capital Budget of the Transportation, Planning and Sustainability Department.) 6% MBE, 18.2% WBE subcontracting participation.  
**Resolution No. 010830-61 was approved.**
62. Approve a resolution authorizing execution of a 12-month service agreement with EMANCIPET, INC., Austin, Texas, to spay and neuter pets for low-income residents of Austin, in an amount not to exceed \$50,000, with two 12-month extension options in an amount not to exceed \$50,000 per extension, for a total contract amount not to exceed \$150,000. (Funding is contingent upon approval of the Fiscal Year 2001-2002 Operating Budget for the Health and Human Services Department. Funding for the extension options is contingent upon available funding in future budgets.) This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.  
**Resolution No. 010830-62 was approved.**
63. Rescind approval, reconsider, and approve execution of 36-month service agreements with TRINITY ENGINEERING/KLEINFELDER COMPANY, Austin, Texas and FLORES TECHNICAL SERVICES, Austin, Texas, for construction inspection services for the Department of Public Works in a combined amount of the two agreements not to exceed \$500,000 and to cast lots to determine the primary contractor and alternate contractor. (Funding is available in the Capital and Operating Budgets of the various departments that will utilize these services.) Low bidders of six bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. This is a service provided directly by the vendor. There are no subcontracting opportunities, therefore, no goals were established for this solicitation.  
**Resolution No. 010830-63 was approved after casting lots which resulted in Flores Technical Services being the primary contractor and Trinity Engineering/Kleinfelder Company being the alternate contractor.**
64. Approve an ordinance to annex the Del Valle area for full purposes (approximately 1116 acres extending on the east side of US 183 from the existing full purpose city limits near Hergotz Lane southeastwards along US 183 and SH 71 to the existing full purpose city limits at Falwell Lane). [Emergency Passage Requested] (The proposed action of this annexation is estimated to produce sales tax and franchise fee revenues of \$33,328 in the General Fund in FY 2000-2001. Funding for estimated requirements of \$291,213 in FY 2000-2001 in all funds is available in the budgets of the departments who will be providing the services)  
**Ordinance No. 010830-64 was approved.**
65. Approve an ordinance to annex the Parmer Lane areas for full purposes (approximately 1.5 acres on the east side of Parmer Lane at the intersection of Parmer Ln and McNeil Dr and approximately 41.5 acres on the east side of Parmer Ln at the intersection of Parmer Lane and Legendary Drive.). [Emergency Passage Requested.] (Funding necessary to provide general

government services is available in the budgets of the departments who will be providing the services.)

**Ordinance No. 010830-65 was approved.**

66. Approve an ordinance to annex the ACF tract for full purposes (approximately 68 acres on the east side of River Place Blvd. between Bonaventure Dr and Milky Way Dr). (Funding necessary to provide general government services to this undeveloped tract is available in the budgets of the departments who will be providing the services.)

**Ordinance No. 010830-66 was approved.**

67. Set public hearings for the full purpose annexation of the following annexation areas:  
Park 22 Office Area (Approximately 36 acres south of FM 2222 one half mile west of Bell Mountain Drive).  
Grandview Areas (Approximately 471 acres west of RR 620 one tenth of a mile south of the RR 620/Boulder Lane intersection and one quarter of a mile north of the RR 620/Wilson Parke Avenue intersection).  
Waters at Bluff Springs Area (Approximately 99 acres east of IH 35 one half mile south of Boggy Creek Drive).  
Home Depot Tract (Approximately 60 acres east of IH 35 at Slaughter Lane).  
Barclay Tract (Approximately 24 acres located west of Barclay Drive).  
Telecom/Burleson Office Area (Approximately 40 acres southeast of the intersection of Smith School Road and Burleson Road).  
Purcell/Tomen Parke Area (Approximately 427 acres west RR 620 between Bullick Hollow and Vista Parke/Wilson Parke). (Suggested Dates and Times: October 4, 2001 at 6.p.m., Lower Colorado River Authority Hancock Building, October 11, 2001 at 6.p.m., Conley-Guerro Senior Center.

**Resolution No. 010830-67 was approved.**

68. Set two public hearings for the full purpose annexation of the Onion Creek municipal annexation plan area (approximately 1222 acres located on the east side of IH 35 at the Onion Creek Parkway/IH 35 intersection.) (Annexation will not take place until December 31, 2003.) (Suggested Dates and Times: Thursday October 4, 2001 at 6:00 p.m. at LCRA and Tuesday October 9, 2001 at 6:30 p.m. at Onion Creek Country Club)

**Resolution No. 010830-68 was approved.**

69. Approve a resolution authorizing negotiation and execution of an amendment to the existing professional services agreement with PBS&J, INC., Austin, Texas, for additional design phase engineering services for the Creek Bend Flood Control- Phase 2 Project, in an amount not to exceed \$238,518.21 for a total amount not to exceed \$775,704.77. (Funding in the amount of \$207,187 is included in the 1999-2000 Amended Capital Budget of the Watershed Protection and Development Review Department and \$31,331 is included in the 1995-1996 Amended Capital Budget of the Water and Wastewater Department.) 7.1% MBE%, 9.13% WBE subcontracting participation. (Recommended by Environmental Board)

**Resolution No. 010830-69 was approved.**

70. Approve a resolution authorizing the City Manager, or designee, to negotiate and execute an Interlocal Agreement with Capital Metro for the City to provide Capital Metro with Project Management Services to supervise development of preliminary engineering plans and an environmental impact statement required to plan a rapid transit system project in an amount not to exceed \$230,000 paid by Capital Metro. (Council Member Daryl Slusher and Council Member Will Wynn)

Resolution No. 010830-70 was approved.

- 71. Approve an ordinance waiving certain fees under Chapter 15-11 of the City Code for the Plaza Saltillo "Fiesta de Independencia" and "Noche de Mariachi" on September 12 through September 17, 2001 and naming the City as a co-sponsor of the "Fiesta de Independencia" Event. (Council Member Raul Alvarez)

Ordinance No. 010830-71 was approved.

- 72. Approve an ordinance waiving certain requirements under Chapter 15-11 of the City Code relating to street closures on February 3, 2002 for the 3M Half Marathon & Relay. (Council Member Will Wynn)

Ordinance No. 010830-72 was approved.

Item 73 was pulled for discussion.

- 74. Approve a resolution accepting a gift sculpture from Capital Area Statues, Inc., entitled "The Lady Cannoner" by artist Pat Oliphant, to be installed on the sidewalk(s) at the corner of Congress Avenue and Sixth Street, as recommended by the Arts in Public Places Panel, the Arts Commission and the Historic Landmark Commission (Council Member Will Wynn)

Resolution No. 010830-74 was approved.

Item 75 was pulled for discussion.

Items 76 through 81 were citizen communications.

Items 82 through 84 were bond sales.

Items 85 through 91 were zoning items.

Items 92 through 97 were public hearings.

98. APPOINTMENTS TO BOARDS AND COMMISSIONS

**Charter Revision Committee**

Bobbie Barker	appointment	Consensus
Clare Barry	appointment	Consensus
Ricky Bird	appointment	Consensus
Robert Chapa	appointment	Consensus
Martha Cotera	appointment	Consensus
Charles Miles	appointment	Consensus
Eddie Rodriguez	appointment	Consensus
Clint Smith	appointment	Consensus
Stephen A. Yelenosky	appointment	Consensus

**Commission for Women**

María C. Hernández	appointment	Alvarez
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**Electric Utility Commission**

Caroline M. LeGette	reappointment	Goodman
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**Medical Assistance Program Advisory Board**

William M. Moore	appointment	Consensus
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**Robert Mueller Municipal Airport Plan**

Suzanna Caballero	reappointment	Consensus
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Jim Walker	reappointment	Consensus
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**Urban Forestry Board**

Bob Belanger	appointment	Thomas
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**Water and Wastewater Commission**

James F. Haley	reappointment	Mayor
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Aida Berduo Douglas	reappointment	Wynn
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**DISCUSSION ITEM**

36. Approve a resolution authorizing an amendment of the City's contract with Austin First Step Corporation to extend it for an additional three-month period, until December 31, 2001, and to amend the award criteria in accordance with the mediation agreement.

**Resolution No. 010830-36 was approved with a amendment to extend the contract for 12 months (September 30, 2002) on Council Member Thomas' motion, Council Member Griffith's second on a 6-0 vote. Mayor Pro Tem Goodman was off the dais.**

**BRIEFINGS****Fiscal Year 2001-2002 Budget**

8. Revenue Update  
The presentation was made by John Stephens, Director of Financial Services.
2. Austin Energy  
The presentation was made by Charles Manning, General Manager of Austin Energy.
7. Water and Wastewater  
The presentation was made by Roger Chan, Assistant City Manager, and Chris Lippie, Director of Water and Wastewater.
5. Solid Waste Services  
The presentation was made by Lisa Gordon, Assistant City Manager, and Willie Rhodes, Director of Solid Waste Services.
6. Watershed Protection and Development Review  
The presentation was made by Lisa Gordon, Assistant City Manager, and Mike Heitz, Director of Watershed Protection and Development Review.
3. Public Works  
The presentation was made by Lisa Gordon, Assistant City Manager, and Peter Rieck, Director of Public Works.

4. Transportation, Planning and Sustainability  
The presentation was made by Lisa Gordon, Assistant City Manager, and Austan Librach, Director of Transportation, Planning and Sustainability.

#### DISCUSSION ITEMS CONTINUED

17. Amend Ordinance No. 000912-2 the 2000-2001 Capital Budget of the Transportation, Planning and Sustainability Department by appropriating \$6,000,000 to a new account entitled "State Highway Right-of-Way Acquisition and Utility Relocation" to provide funding for the City's portion of right-of way and utility relocation for a portion of State Highway 45 North. (The amount of \$6,000,000 from the issuance of long-term debt to be funded with future payments from Capital Metro. (continued from August 9, 2001 and August 23, 2001) (Related Item Nos. 17 and 21 )  
**Ordinance No. 010830-17 was approved on Mayor Pro Tem Goodman's motion, Council Member Wynn's second on a 6-0 vote. Council Member Griffith was off the dais.**
18. Approve a resolution declaring official intent to reimburse an amount not to exceed \$6,000,000 in state highway right-of-way and utility relocation costs for State Highway 45 North. (The amount of \$6,000,000 to be reimbursed from the proceeds of long term debt.) (continued from August 9, 2001 and August 23, 2001) (Related Item Nos.16 and 21 )  
**Resolution No. 010830-18 was approved on Mayor Pro Tem Goodman's motion, Council Member Wynn's second on a 6-0 vote. Council Member Griffith was off the dais.**
22. Approve a resolution authorizing negotiation and execution of an Interlocal Agreement to reimburse Williamson County for the cost of required right-of-way and utility relocation for the SH 45 and U.S. 183A expansion projects located in Williamson County and the City of Austin. (Funding in the amount of \$6,000,000 is available in the Amended Fiscal Year 2000-2001 Capital Budget of the Transportation, Planning and Sustainability Department. The amount of \$15 million is included in the Fiscal Year 2001-2002 Proposed Capital Budget of the Transportation Planning and Sustainability Department. Funding for the remainder of the contract is anticipated from future debt or future interlocals.) (continued from August 9, 2001 and August 23, 2001) (Related Item Nos. 16 and 17)  
**Resolution No. 010830-22 was approved on Mayor Pro Tem Goodman's motion, Council Member Wynn's second on a 6-0 vote. Council Member Griffith was off the dais.**

The motion to recess the meeting at 12:01 p.m. to go into Executive Session was approved on Council Member Wynn's motion, Mayor Pro Tem Goodman's second by a 6-0 vote. Council Member Griffith was off the dais.

#### EXECUTIVE SESSION

The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.

9. Discuss legal issues related to a proposed ordinance concerning hazardous pipelines.
10. Discuss settlement proposal for claim of Gilbert Texas Construction, L.P.
11. Discuss legal issues regarding tariff compliance as identified by an audit of Southern Union Gas cost of gas calculations.

12. Discuss legal issues related to the Convention Center Hotel.

Executive session ended at 1:48 p.m. Mayor Watson called the meeting back to order.

#### DISCUSSION ITEMS CONTINUED

16. Consider settlement proposal for claim of Gilbert Texas Construction, L.P. Resolution No. 010830-16 was approved in the amount of \$47,754.87 on Council Member Thomas' motion, Council Member Alvarez' second by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Griffith were off the dais.

#### CITIZEN COMMUNICATIONS

76. Rick Hall - Discrimination Against The Disabled in Austin – Part 2
77. Jennifer L. Gale - Jennifer L. Gale for Mayor of the City of Austin
78. Gus Peña - (1) To urge City Council to expedite Transitional Housing Initiative for Families who are Homeless. (2) To urge Council to be more Aggressive to push for more low income Affordable Housing. (3) To Discuss the City of Austin Budget, No Budget Cuts that will harm the Programs that are essential and Beneficial for the Poor, Needy, Have Nots, Children and Senior Citizens.
79. Jimmy Castro - City Budget
80. Roy B. Mann - Light Rail Transit
81. Robert L. Thomas - To discuss employment and building at the Rosewood Recreation Center.  
ABSENT

#### BOND SALES

82. Approve an ordinance authorizing the issuance of \$79,650,000 City of Austin, Texas, Public Improvement Bonds, Series 2001, and all related documents and declaring an emergency. (Funding in the amount of \$3,728,335 in the first year debt service requirement and \$600 estimated annual administration fee for the paying agent/registrar for the proposed bond sale is included in the 2001-2002 Proposed Operating Budget of the General Obligation Debt Service Fund.)  
Ordinance No. 010830-82 was approved on Council Member Slusher's motion, Council Member Wynn's second by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Griffith were off the dais.
83. Approve an ordinance authorizing the issuance of \$2,650,000 City of Austin, Texas, Public Property Finance Contractual Obligations, Series 2001, and all related documents and declaring an emergency. (Funding in the amount of \$232,750 in the first year debt service requirement and \$600 estimated annual administration fee for the paying agent/registrar for the proposed contractual obligation sale is included in the 2001-2002 Proposed Operating Budget of the General Obligation Debt Service Fund.)  
Ordinance No. 010830-83 was approved on Council Member Slusher's motion, Council Member Wynn's second by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Griffith were off the dais.
84. Approve an ordinance authorizing the issuance of \$65,335,000 City of Austin, Texas, Certificates of Obligation, Series 2001, and all related documents and declaring an emergency. (Funding in the amount of \$5,480,088 in the first year debt service requirement and \$600 estimated annual administration fee for the paying agent/registrar for the proposed Certificate of

Obligation sale is included in the 2001-2002 Proposed Operating Budget of the General Obligation Debt Service Fund.)

**Ordinance No. 010830-84 was approved on Council Member Slusher's motion, Council Member Wynn's second by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Griffith were off the dais.**

### DISCUSSION ITEMS CONTINUED

33. Set a public hearing to consider a proposed neighborhood plan for the Holly neighborhood planning area. The Holly neighborhood planning area is bounded by 7<sup>th</sup> Street to the north, Chicon to the west, Pleasant Valley to the east and Town Lake to the South. (There is no fiscal impact associated with setting this public hearing. This plan is advisory and does not legally obligate the Council to implement any particular recommendation.) (Suggested Date and Time: September 27, 2001 at 6:00 p.m.)  
**Resolution No. 010830-33 was approved setting the public hearing date for October 11, 2001 on Council Member Alvarez' motion, Council Member Wynn's second on a 5-0 vote. Mayor Pro Tem Goodman and Council Member Griffith were off the dais.**
34. Set a public hearing to consider a proposed neighborhood plan for the Rosewood neighborhood planning area. The Rosewood neighborhood planning area is bounded by Airport Blvd from Manor Rd. to Oak Springs, Oak Springs from Airport to Webberville, Webberville to Northwestern, Northwestern to Rosewood Ave., Rosewood Ave. to Chicon, Chicon to E. 12<sup>th</sup> St., E. 12<sup>th</sup> St. to the railroad tracks immediately east of Walnut, the railroad tracks between E. 12<sup>th</sup> St. and Martin Luther King Jr. Blvd., Martin Luther King Jr. Blvd. to Stafford, Stafford to Rogers, Rogers to Walnut, Walnut to Manor Rd., and Manor Rd. to Airport Blvd. (There is no fiscal impact associated with setting this public hearing. This plan is advisory and does not legally obligate the Council to implement any particular recommendation.) (Suggested Date and Time: September 27, 2001 at 6:00 p.m.)  
**Resolution No. 010830-34 was approved on Council Member Alvarez' motion, Council Member Wynn's second on a 5-0 vote. Mayor Pro Tem Goodman and Council Member Griffith were off the dais.**
35. Set a public hearing to consider a proposed neighborhood plan for the Central East Austin neighborhood planning area. The Central East neighborhood planning area is bounded by Martin Luther King (MLK) Boulevard to the north, Interstate 35 to the west, Seventh Street to the south and Chicon/Northwestern to the east. (There is no fiscal impact associated with setting this public hearing. This plan is advisory and does not legally obligate the Council to implement any particular recommendation.) (Suggested Date and Time: September 27, 2001 at 6:00 p.m.)  
**Resolution No. 010830-35 was approved setting the public hearing date for October 4, 2001 on Council Member Alvarez' motion, Council Member Wynn's second on a 5-0 vote. Mayor Pro Tem Goodman and Council Member Griffith were off the dais.**
73. Set a public hearing to remove the Frate Barker extension from the proposed Austin Metropolitan Area Transportation Plan (AMATP). (Suggested Date and Time: September 27, 2001 at 6:00 p.m., Lower Colorado River Authority, Hancock Building) (Council Member Daryl Slusher, Mayor Pro Tem Jackie Goodman and Council Member Raul Alvarez)  
**Resolution No. 010830-73 was approved on Council Member Slusher's motion, Council Member Alvarez's second by a 6-0 vote. Council Member Griffith was off the dais.**
75. Approve an ordinance concerning hazardous pipelines. (Council Member Raul Alvarez, Mayor Pro Tem Jackie Goodman, and Council Member Will Wynn)

This item was postponed indefinitely on Council Member Alvarez' motion, Council Member Slusher's second by a 6-0 vote. Council Member Griffith was off the dais.

The motion to recess the meeting at 2:24 p.m. to go into Executive Session was approved on Council Member Thomas' motion, Council Member Wynn's second by a 6-0 vote. Council Member Griffith was off the dais.

### EXECUTIVE SESSION

15. Discuss business plan and financial planning issues.

Executive session ended at 3:48 p.m. Mayor Watson called the meeting back to order.

### DISCUSSION ITEMS CONTINUED

38. C14-00-2251- Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3416-3424 Block of Davis Lane (Williamson Creek Watershed) from RR, Rural Residence district zoning; DR, Development Reserve district zoning; SF-6, Townhouse & Condominium Residence district zoning; SF-6-CO, Townhouse & Condominium Residence-Conditional Overlay Combining district zoning with conditions; LR, Neighborhood Commercial district zoning; LR-CO, Neighborhood Commercial-Conditional Overlay Combining district zoning with conditions; and GR, Community Commercial district zoning to GR-CO, Community Commercial-Conditional Overlay Combining district zoning with conditions for Tract 1 and MF-2-CO, Multifamily Residence Low Density-Conditional Overlay Combining district zoning with conditions for Tract 2. First reading on August 9, 2001; Vote: 5-1, Slusher nay, Watson off the dais. Conditions met as follows: Conditional overlay incorporates the conditions approved by Council at first reading. Property Owner and Applicant: W.W. Brodie, Ltd. (William S. Walters, Ned D. Ewart, Maria Adrianna Morrison). Agent: Land Strategies (Paul Linehan). City Staff: Wendy Walsh, 974-7719.

The second reading was approved with the following amendments on Mayor Pro Tem Goodman's motion, Council Member Griffith's second on a 7-0 vote. The amendments by Mayor Pro Tem Goodman to the ordinance were: 1) Tract 1 will be zoned GR with a cap at 25,000 square feet totally and of that no more than 17,000 square feet can ever be used for general retail use and no more than 15,000 square feet can be used for general restaurant use; and 2) Tract 2 (the southern portion) will be zoned MF-1 with a cap at eight units per acre plus all other requirements from the Planning Commission. She also gave direction to staff to take to the new Planning Commission the request to amend the Land Development Code to institute a zoning designation for sit-down restaurants that are not in a GR category.

23. Consider an ordinance amending Chapters 25-2 and 25-4 of the Austin City Code relating to the subdivision of land and street connectivity. (If the Council approves the staff recommendation for additional fee waivers Water and Wastewater Department revenue may be impacted.) (Recommended by Planning Commission) (continued from June 14, 2001 and August 23, 2001) This item was postponed to October 25, 2001 on Council Member Slusher's motion, Council Member Thomas' second on a 7-0 vote.

### ZONING CONSENT

The following items were acted on by one motion. No separate discussion or action occurred on any of the items. The consent items were approved on Mayor Pro Tem Goodman's motion, Council Member Wynn's second by a 7-0 vote.

85. C814-88-0001 (RCA) - Public hearing to amend Chapter 25-2 of the Austin City Code by amending a restrictive covenant for the property known as 2800 Waymaker Way (Lake Austin Blvd.). Planning Commission Recommendation: The Zoning and Platting Commission will consider this request at their meeting of September 18, 2001. Applicant: Parmer Ridge Limited (John Lloyd). Agent: Armbrust, Brown and Davis (Kris Kasper) City Staff: Glenn Rhoades, 974-2775.  
**This item was postponed to September 27, 2001 at staff's request.**
86. C14H-00-0014 - Brush-Turner-Hirshfeld Building - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 709 Congress Avenue (Town Lake Watershed) from CBD, Central Business District zoning, to CBD-H, Central Business District-Historic Combining district zoning. Planning Commission Recommendation: To grant CBD-H, Central Business District-Historic Combining district zoning. Historic Landmark Commission Recommendation: To grant CBD-H, Central Business District-Historic Combining district zoning. Applicant: Jim Nix (BHR Texas, L.P.). City Staff: Barbara Stocklin, Transportation, Planning and Sustainability Department, 974-2414.  
**Ordinance No. 010830-86 was approved.**
89. C14-01-0092 - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 9310 Jollyville Road (Shoal Creek and Bull Creek Watersheds) from GO-CO, General Office-Conditional Overlay Combining district zoning to GO-CO, General Office-Conditional Overlay Combining district zoning in order to change conditions of zoning. Planning Commission Recommendation: To grant GO-CO, General Office-Conditional Overlay Combining district, zoning with conditions. Applicant: Grace Covenant Church (Ray Anderson). Agent: Sarah Crocker. City Staff: Katie Larsen, 974-3072.  
**Ordinance No. 010830-89 was approved.**

#### ZONING DISCUSSION ITEMS

91. C14-01-0088 - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 9600 North Interstate Highway 35 Service Road SB (Little Walnut Creek Watershed) from CS-CO, General Commercial Services district, zoning to CS-1-CO, Commercial-Liquor Sales-Conditional Overlay Combining district, zoning. Planning Commission Recommendation: To forward this request to City Council without a recommendation. Property Owner and Applicant: Kammy D. Ovisi & Shahrzad Bahrami. Agent: Roel Bazan Architects (Roel Bazan). City Staff: Sherri Gager, 974-3057. Note: A valid petition has been filed in opposition to this rezoning request. (continued from 8/9/01 and 8/23/01)  
**The public hearing was closed on Council Member Griffith's motion, Mayor Pro Tem Goodman's second on a 6-0 vote. Council Member Wynn was off the dais.**
- The motion to deny the zoning request passed on Mayor Pro Tem Goodman's motion, Council Member Wynn's second on a 7-0 vote.**
40. C14-01-0061 - Dawson Neighborhood Plan - Approve second reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property bounded on the north by Oltorf Street, on the east by South Congress Avenue, on the south by Ben White Blvd., and on the west by South 1st Street (East Bouldin Creek Watershed),

To add a NP, Neighborhood Plan Combining District (NPCD) to each base district zoning district within the entire area;

To add a neighborhood mixed use building special use is proposed for 26 Tracts (1-6, 9-15, 17-18, 21-28, and 30-32); and

To change the base zoning districts on 33 tracts of land:

from: SF-3, Family Residence district, MF-2, Multifamily Residence Low Density district, MF-3, Multifamily Residence Medium Density district, MF-4, Multifamily Residence Moderate-High Density district, LO, Limited Office district, LR, Neighborhood Commercial district, GR, Community Commercial district, GR-CO, Community Commercial-Conditional Overlay Combining district, W/LO, Warehouse-Limited Office district, CS, General Commercial Services district, CS-1, Commercial-Liquor Sales district, LI, Limited Industrial Services district zoning

to SF-3-NP, Family Residence-Neighborhood Plan Combining district, MF-2-NP, Multifamily Residence Low Density-Neighborhood Plan Combining district, MF-3-NP, Multifamily Residence Medium Density-Neighborhood Plan Combining district, LO-CO-NP, Limited Office-Conditional Overlay-Neighborhood Plan Combining district, LR-CO-NP, Neighborhood Commercial-Conditional Overlay-Neighborhood Plan Combining district, GR-CO-NP, Community Commercial-Conditional Overlay-Neighborhood Plan Combining district, CS-CO-NP, General Commercial Services-Conditional Overlay-Neighborhood Plan Combining district, CS-1-CO-NP, Commercial-Liquor Sales-Conditional Overlay-Neighborhood Plan Combining district, LI-CO-NP, Limited Industrial Services-Conditional Overlay-Neighborhood Plan Combining district zoning, P-NP, Public-Neighborhood Plan Combining district. First reading on July 19, 2001; Vote: 6-0, Watson absent. Conditions met as follows: Conditional overlay incorporates the conditions approved by Council at first reading. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Sue K. Hounsel, 974-6564 and Adam Smith, 974-2755. Note: Valid petitions have been filed by property owners in opposition to this rezoning request.

The motion to waive the rules (since the hearing was closed at a previous meeting) and allow the small business owners to speak for ten minutes and the neighborhood representatives to speak for five minutes passed on Council Member Slusher's motion, Council Member Wynn's second on a 7-0 vote.

The public hearing was closed on Council Member Slusher's motion, Council Member Griffith's second on a 6-0 vote. Council Member Wynn was off the dais.

The second reading of this ordinance was approved with the following amendments on Council Member Slusher's motion, Council Member Griffith's second on a 7-0 vote. The amendment was to reinstate the overlay prohibiting pawn shops, adult-oriented businesses, fast food restaurants, and drive-ins. Staff was directed to find a way to exempt HEB from the overlay provisions for fast food and drive-in prohibitions, before the third reading of the ordinance.

The motion to recess the Council meeting at 5:34 p.m. was approved on Council Member Slusher's motion, Council Member Griffith's second by a 7-0 vote.

Mayor Watson called the meeting back to order at 6:15 p.m.

92. Conduct a public hearing for the full purpose annexation of the following annexation areas: City of Austin Bull Creek Area (Approximately 289 acres located in Travis County approximately one tenth of a mile east of the intersection of Corley Dr and Old Lampassas Rd).

The public hearing on the Bull Creek Area was closed on Mayor Pro Tem Goodman's motion, Council Member Slusher's second on a 4-0 vote. Council Members Alvarez, Griffith and Thomas were off the dais.

Avery Ranch Areas (Approximately 352 acres in Williamson County on Avery Ranch Blvd between the Austin and NW Railroad right-of-way the eastern boundary of the City's limited purpose jurisdiction in the Avery Ranch development and portions of Avery Ranch Blvd).

The public hearing on the Avery Ranch Area was closed on Mayor Pro Tem Goodman's motion, Council Member Slusher's second on a 4-0 vote. Council Members Alvarez, Griffith and Thomas were off the dais.

Barker Ranch at Shady Hollow Area (Approximately 103 acres located in southern Travis County west of Brodie Lane at Frate Barker Road/Edwards Hollow Run).

The public hearing on Barker Ranch at Shady Hollow was closed on Mayor Pro Tem Goodman's motion, Council Member Slusher's second on a 4-0 vote. Council Members Alvarez, Griffith and Thomas were off the dais.

Pickard Area (Approximately 218 acres located in southern Travis County north of Frate Barker Rd and west of Manchaca Rd).

The public hearing on the Pickard Area was closed on Council Member Slusher's motion, Mayor Pro Tem Goodman's second on a 4-0 vote. Council Members Alvarez, Griffith and Thomas were off the dais.

City of Austin Parkland Area (Approximately 317 acres located in south central Travis County north of Nuckols Crossing Rd and Grelle Ln and extending to the existing full purpose city limits).

The public hearing on the Austin Parkland Area was closed on Mayor Pro Tem Goodman's motion, Council Member Wynn's second on a 5-0 vote. Council Members Griffith and Thomas were off the dais.

City of Austin East Austin Reservoir Area (Approximately 12 acres located in eastern Travis County at the northwest corner of the intersection of US 290 and Reservoir Court).

The public hearing on the East Austin Reservoir Area was closed on Mayor Pro Tem Goodman's motion, Council Member Slusher's second on a 5-0 vote. Council Members Griffith and Thomas were off the dais.

Brandon Tract (Approximately 3 acres located in north Austin at Sierra Oaks).

The public hearing on the Brandon Tract was closed on Council Member Alvarez' motion, Council Member Wynn's second on a 5-0 vote. Council Members Griffith and Thomas were off the dais.

Thurmond Tract (Approximately 15 acres located on River Place Blvd across from the intersection of River Place Blvd and Gold Yarrow Dr).

The public hearing on the Thurmond Tract was closed on Council Member Alvarez' motion, Mayor Pro Tem Goodman's second on a 7-0 vote.

Nowotny Tract (Approximately 49 acres located in southwestern Travis County east of FM 1826 at Twilight Terrace Drive and Twilight Mesa Drive).

The public hearing on the Nowotny Tract was closed on Council Member Griffith's' motion, Mayor Pro Tem Goodman's second on a 7-0 vote.

PUBLIC HEARINGS

93. Conduct a public hearing to receive public comment on the Fiscal Year 2001-2002 Proposed Budget.  
**The public hearing was closed on Council Member Griffith's motion, Mayor Pro Tem Goodman's second by a 6-0 vote. Council Member Slusher was off the dais.**
94. Conduct a public hearing to receive public comment a proposed tax rate for Fiscal Year 2001-2002.  
**The public hearing was closed on Council Member Griffith's motion, Mayor Pro Tem Goodman's second by a 6-0 vote. Council Member Slusher was off the dais.**
95. Conduct a public hearing to receive public comment on the proposed rate changes for the Solid Waste Services Department, Drainage Fee of the Drainage Utility (Watershed Protection and Development Review Department), and Water and Wastewater Utility as part of the 2001-2002 Proposed Budget.  
**The public hearing was closed on Council Member Griffith's motion, Mayor Pro Tem Goodman's second by a 6-0 vote. Council Member Wynn was off the dais.**
96. Conduct a public hearing to consider an ordinance amending the Austin Tomorrow Comprehensive Plan by adopting the Montopolis Neighborhood Plan for the area bounded by U.S. Highway 183 on the northeast, by Ben White Blvd on the southeast, and Grove Blvd. (Country Club & Carson) on the west. (There is no fiscal impact associated with adopting the Plan. An estimate of the fiscal impact to implement all of the recommendations in the plan is \$167,200, with some recommendation costs unknown at this time. This plan is advisory and does not legally obligate the Council to implement any particular recommendation.)  
**The public hearing was closed on Council Member Griffith's motion, Mayor Pro Tem Goodman's second by a 7-0 vote.**
97. Consider an ordinance amending the Austin Tomorrow Comprehensive Plan by adopting the Montopolis Neighborhood Plan for the area bounded by U.S. Highway 183 on the northeast, by Ben White Blvd on the southeast, and Grove Blvd. (Country Club & Carson) on the west. (There is no fiscal impact associated with adopting the Plan. An estimate of the fiscal impact to implement all of the recommendations in the plan is \$167,200, with some recommendation costs unknown at this time. This plan is advisory and does not legally obligate the Council to implement any particular recommendation.)  
**The first reading of the ordinance adopting staff recommendations with the following exceptions was approved on Council Member Alvarez' motion, Council Member Slusher's second on a 7-0 vote. The exceptions were: Tract 1 and 2 will be single family residential; Tract 35 will be single family residential south of Ponca and commercial north of Ponca; and Tract 47 will be commercial between the transmission lines and gas pipeline.**
87. C14-00-2064 - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 1619-1805 Montopolis Drive (Country Club Watershed) from CS, General Commercial Services district zoning, GR, Community Commercial district zoning and SF-3, Family Residence district zoning to CS-MU, General Commercial Services-Mixed Use Combining district zoning for Tract 1 and GR-MU, Community Commercial-Mixed Use Combining district zoning for Tract 2. Planning Commission Recommendation: To grant GR-NP, Community Commercial-Neighborhood Plan Combining district zoning for Tract 1, and SF-3-NP, Family Residence-Neighborhood Plan Combining district zoning for Tract 2. Applicant: Delmo and Martha Pearce Family Partnership, Ltd. (Delmo M. Pearce), Alameda Investments,

Inc. (G. Pearl Flanche). Agent: William T. Carlisle. City Staff: Adam Smith, 974-2755.  
(continued from 7/19/01 and 8/30/91)

The motion to close the hearing was approved on Mayor Pro Tem Goodman's motion, Council Member Griffith's second on a 7-0 vote.

The motion to approve on first reading of the ordinance adopting staff's recommendation for GR-NP for the first two hundred feet on Riverside and SF-3 on the rest of the property was approved on Council Member Alvarez' motion, Mayor Pro Tem Goodman's second on a 7-0 vote.

88. C14-01-0060 - Montopolis Neighborhood Plan - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property bounded on the north by the Colorado River, east by U.S. Highway 183, on the south by Ben White Boulevard, on the west by Grove Boulevard; and Tracts 31, 34, 35, 37-45, 48, 49, & 12093 Frontier Valley Drive (Colorado River, Country Club and Carson Watersheds):
- To add a NP, Neighborhood Plan combining district (NPCD) to each base zoning district within the entire area;
- To add a neighborhood mixed use building special use for 19 Tracts (23, 24, 25, 27, 28, 29, 47, 52, 53, 54, 56, 57, 58, 60, 61, 66, 69, 70 and 73); and
- To change the base zoning districts on 77 tracts of land:
- from SF-2, Single Family Residence Standard Lot district; SF-3, Family Residence district; I-SF-3, Interim-Family Residence district; MH, Mobile Home Residence district; LO, Limited Office district; LR, Neighborhood Commercial district; GR, Community Commercial district; CS, General Commercial Services district; CS-CO, General Commercial Services-Conditional Overlay Combining district; CS-1, Commercial-Liquor Sales district; LI, Limited Industrial district; LI-CO, Limited Industrial-Conditional Overlay Combining district; LI-PDA, Limited Industrial-Planned Development Area district; PUD, Planned Unit Development district and P, Public district,
- to SF-3-NP, Family Residence-Neighborhood Plan Combining district; MF-2-NP, Multifamily Residence Low Density Neighborhood Plan Combining district; LR-NP, Neighborhood Plan Combining district; LR-MU-NP, Neighborhood Commercial-Mixed Use-Neighborhood Plan Combining district; GR-NP, Community Commercial-Neighborhood Plan Combining district; GR-MU-NP, Community Commercial-Mixed Use-Neighborhood Plan Combining district; GR-CO-NP, Community Commercial-Conditional Overlay-Neighborhood Plan Combining district; CS-NP, General Commercial Services-Neighborhood Plan Combining district; CS-MU-NP, General Commercial Services-Mixed Use-Neighborhood Plan Combining district; W/LO-NP, Warehouse Limited Office-Neighborhood Commercial-Neighborhood Plan combining district; CS-MU-NP, General Commercial Services-Mixed Use-Neighborhood Plan Combining district; CS-CO-NP, General Commercial Services-Conditional Overlay-Neighborhood Plan Combining district; LI-NP, Limited Industrial-Neighborhood Plan Combining district; P-NP, Public-Neighborhood Plan Combining district; zoning
- Planning Commission Recommendation: To add a NP, Neighborhood Plan combining district (NPCD) to each base zoning district within the entire area;
- To add a neighborhood mixed use building special use for 19 Tracts (23, 24, 25, 27, 28, 29, 47, 52, 53, 54, 56, 57, 58, 60, 61, 66, 69, 70 and 73); and
- To change the base zoning districts on 77 tracts of land: SF-3-NP, Family Residence-Neighborhood Plan Combining district; MF-2-NP, Multifamily Residence Low Density Neighborhood Plan Combining district; LR-NP, Neighborhood Plan Combining district; LR-MU-NP, Neighborhood Commercial-Mixed Use-Neighborhood Plan Combining district; GR-NP, Community Commercial-Neighborhood Plan Combining district; GR-MU-NP, Community Commercial-Mixed Use-Neighborhood Plan Combining district; GR-CO-NP, Community Commercial-Conditional Overlay-Neighborhood Plan Combining district; CS-NP, General

Commercial Services-Neighborhood Plan Combining district; CS-MU-NP, General Commercial Services-Mixed Use-Neighborhood Plan Combining district; W/LO-NP, Warehouse Limited Office-Neighborhood Commercial-Neighborhood Plan combining district; CS-MU-NP, General Commercial Services-Mixed Use-Neighborhood Plan Combining district; CS-CO-NP, General Commercial Services-Conditional Overlay-Neighborhood Plan Combining district; LI-NP, Limited Industrial-Neighborhood Plan Combining district; P-NP, Public-Neighborhood Plan Combining district, zoning. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Adam Smith, 974-2755. (continued from 7/19/01 and 8/30/01)  
**The public hearing was closed on Mayor Pro Tem Goodman's motion, Council Member Griffith's second by a 7-0 vote.**

**The motion to approve on first reading adopting staff's recommendation with the following exceptions was approved on Council Member Alvarez' motion, Council Member Thomas' second on a 7-0 vote. The exceptions were that Tracts 1 and 2 will be zoned SF-3; Tract 35 will be zoned SF-3 south of Ponca and GO north of Ponca; and the Vargas property on 183 will be GR on the first 3.6 acres and LR on the rest of the property.**

90. C14-01-0060 (PART) - Montopolis Neighborhood Plan – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property described as: 6603, 6605, 6609 East Riverside Drive (being a portion of Tract 70), Vargas Road, 1301, 1305, 1313 & 1318 Montopolis Drive, 6305, 6307, 6309, 6311 Porter Street (being a portion of Tract 19), 701 Montopolis Drive (being a portion of Tract 14), East Ben White Blvd. & 2204 Uphill Lane, Tracts 31, 34, 35, 37-45, 48, 49, & 12093 Frontier Valley Drive, and 302 Bastrop Hwy. & 400 Vargas Road (Colorado River, Country Club and Carson Watersheds):  
To add a NP, Neighborhood Plan combining district (NPCD) to each base zoning district within the entire area; To add a neighborhood mixed use building special use for 19 Tracts (23, 24, 25, 27, 28, 29, 47, 52, 53, 54, 56, 57, 58, 60, 61, 66, 69, 70 and 73); and  
To change the base zoning districts on the tracts of land address above:  
from SF-2, Single Family Residence Standard Lot district; SF-3, Family Residence district; SF-6-CO, Townhouse and Condominium Residence-Conditional Overlay Combining district; MF-2, Multifamily Residence Low Density district; LR, Neighborhood Commercial district; CS, General Commercial Services district; and LI, Limited Industrial district, zoning  
to SF-3-NP, Family Residence-Neighborhood Plan Combining district; MF-2-NP, Multifamily Residence Low Density Neighborhood Plan Combining district; GR-NP, Community Commercial-Neighborhood Plan Combining district; GR-MU-NP, Community Commercial-Mixed Use-Neighborhood Plan Combining district; CS-NP, General Commercial Services-Neighborhood Plan Combining district; CS-MU-NP, General Commercial Services-Mixed Use-Neighborhood Plan Combining district; W/LO-NP, Warehouse Limited Office-Neighborhood Commercial-Neighborhood Plan combining district, zoning. Planning Commission Recommendation: To add a NP, Neighborhood Plan combining district (NPCD) to each base zoning district within the entire area; to add a neighborhood mixed use building special use for 19 Tracts (23, 24, 25, 27, 28, 29, 47, 52, 53, 54, 56, 57, 58, 60, 61, 66, 69, 70 and 73); and to rezone the base district for 77 parcels to SF-3-NP, Family Residence-Neighborhood Plan Combining district; MF-2-NP, Multifamily Residence Low Density Neighborhood Plan Combining district; GR-NP, Community Commercial-Neighborhood Plan Combining district; GR-MU-NP, Community Commercial-Mixed Use-Neighborhood Plan Combining district; CS-NP, General Commercial Services-Neighborhood Plan Combining district; CS-MU-NP, General Commercial Services-Mixed Use-Neighborhood Plan Combining district; W/LO-NP, Warehouse Limited Office-Neighborhood Commercial-Neighborhood Plan combining district, zoning with conditions.

Property Owners: Aus-Tex Parts & Service LLC., New Jerusalem Baptist, Vargas Properties, Johnny E. Hyde, Ask Marketing, Inc., Kathleen E. Meece-Trustee, Herbys Joint Venture, Vargas Properties I Ltd., Circle K Express, and other property owners of Tracts 31, 34, 35, 37-45, 48, 49, & 12093 Frontier Valley Drive. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Adam Smith, 974-2755. (continued from 8/2/01 and 8/23/01)

The hearing was closed on Council Member Griffith's motion, Mayor Pro Tem Goodman's second by a 7-0 vote.

The motion to approve the first reading adopting staff's recommendation with the following exceptions was approved on Council Member Alvarez' motion, Council Member Thomas' second on a 7-0 vote. The exceptions were that Tracts 1 and 2 will be zoned SF-3; Tract 35 will be zoned SF-3 south of Ponca and GO north of Ponca; and the Vargas property on 183 will be GR on the first 3.6 acres and LR on the rest of the property.

The motion to recess the meeting at 8:50 p.m. to go into Executive Session was approved on Council Member Griffith's motion, Mayor Pro Tem Goodman's second on a 7-0 vote.

#### EXECUTIVE SESSION

13. Discuss sale of real property related to the Barton Springs Clean Water Project funded by May 1998 election, Proposition 2 bonds.
14. Discuss purchase of real property related to the Open Space Project funded by November 2000 election, Proposition 2 bonds.

The Executive Session ended at 9:44 p.m.

The motion to adjourn the meeting at 9:45 p.m. was approved on Mayor Pro Tem Goodman's motion, Council Member Slusher's second by a 7-0 vote.

The minutes for the regular meeting of August 30, 2001 and Budget Readings of September 10, 2001 and September 11, 2001 were approved on Council Member Griffith's motion, Council Member Thomas' second by a 7-0 vote.